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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/734,343

12/11/2003

Cody Thomas Payne

319p-Brew

3666

7590 11/02/2005

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EXAMINER

CARTAGENA, MELVIN A

ART UNIT

PAPER NUMBER

3754

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/734,343	PAYNE ET AL.	
	Examiner	Art Unit	
	Melvin A. Cartagena	3754	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on ____.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-18 is/are pending in the application.

 4a) Of the above claim(s) ____ is/are withdrawn from consideration.

5) ☐ Claim(s) ____ is/are allowed.

6) ☒ Claim(s) 1-18 is/are rejected.

7) ☒ Claim(s) 13 is/are objected to.

8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

 a) ☐ All b) ☐ Some * c) ☐ None of:

 1. ☐ Certified copies of the priority documents have been received.

 2. ☐ Certified copies of the priority documents have been received in Application No. ____.

 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. ____
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
Paper No(s)/Mail Date <u>12112003</u>	6) <input type="checkbox"/> Other: ____

DETAILED ACTION

Claim Objections

1. Claim 13 is objected to because of the following informalities: Claim 13 recites the limitation "each interior cannula of each cylindrical projection" in line 2 and 3. There is insufficient antecedent basis for this limitation in the claim.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-10, 13, 14, 15 are rejected under 35 U.S.C. 102(b) as being anticipated by US 5,332,132 to Schuske.

Schuske shows a multi spout beer valve as seen in Fig. 5, having an plastic adapter between a first keg flow device 50 and a second keg flow device 410, the adapter has upper and lower surfaces with corresponding threaded couplings, see Fig. 3 and column 2, lines 24-26, coaxial air channel and beer channel, a plurality of beer outlets 630, 631 and 632, a seal 8 and cylindrical projections 59.

In reference to claim 9:

Schuske shows a toroidal channel as seen in Fig. 1.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 11, 12, 16, 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 5,332,132 to Schuske in view of US Re. 27,626 to Johnston.

Schuske shows all claimed features as discussed above except for the use of O-rings in the second coupling, at least a segment making an angle greater than 90 degrees with the beer channel and the use of an external gas cartridge to pressurized the keg. Johnston shows a beer-taping device as seen in Figs. 1 and 2 using O-rings 96, 86, 60 and 62 in the couplings, having a segment 46 making an angle greater than 90 degrees with the beer channel and using an external gas cartridge 22 to pressurized the keg 12. It would have been obvious to a person with ordinary skill in the art at the time the invention was made to modify the device of Schuske to use O-rings in the coupling, an angled segment and a pressurized cartridge as taught by Johnston to prevent leakage of gas and beer from between the couplings, improve the flow path of the gas or beer through the coupling and use gas to pressurized the beer in the keg to keep the beer from coming in contact with oxygen and extend the time the beer can be keep in the keg.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hartin shows a distributing apparatus for beer. Johnston ('117) shows a keg-tapping device. Chavez shows a multiple output keg coupler. Simon shows a tapping device. Morris

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shows a beer cock. Zucconi shows a tapping device for beer kegs. Wank shows a beer bottling apparatus. Gruenebaum shows a bottling machine.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melvin A. Cartagena whose telephone number is (571) 272-4924. The examiner can normally be reached on M-F (7:30AM to 4:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Y. Mar can be reached on (571) 272-4906. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MAC 10/25/05

MAC



MICHAEL MAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700